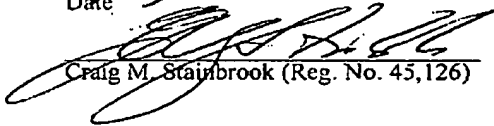


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Craig M. Stainbrook (Reg. No. 45,126)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Christopher Prevost)	Examiner: Gonzalez, Madeline
Serial No.:	10/800,188)	Art Unit: 2859
Filed:	03/11/2004)	Confirmation No: 8624
Title:	Wall Fastener Locating and Marking Tool)	Customer No: 28778
)	Docket No: 00770.P1

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed 12/15/2004 (December 15, 2004), please amend
the above-identified application as follows:

I. INTRODUCTORY COMMENTS

Amendments to the Claims are reflected in the listing of claims which begins on page 3
of this paper.

Remarks/Arguments begin on page 7 of this paper.

*Appl. Ser. No: 10/800,188
Office Action Mailed: 12/15/2004 (December 15, 2004)
Reply to Office Action Dated: 05/06/2005 (May 6, 2005)*

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The Examiner has indicated that claims 1-20 are pending in the application; that claims 9, 11, and 13 are objected to due to informalities; that claims 1-8, 10-12, 19 and 20 are rejected under 35 U.S.C. 103(a) as unpatentable over Hofmeister et al. (US 6,739,065) in view of Wegman (US 6,026,584); that claim 9 is rejected under 35 U.S.C. 103(a) as unpatentable over Hofmeister in view of Wegman as applied to claims 1-8, 10-12, 19 and 20, and further in view of Krake et al. (US 2002/0078582); that claims 13-16 are rejected under 35 U.S.C. 103(a) over Hofmeister in view of Wegman as applied to claims 1-8, 10-12, 19 and 20, and further in view of Bogart (Pat. No. not available); and that claims 17 and 18 are objected to as being dependent on a rejected based claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant, by this Amendment, cancels claim 8, and amends claims 1, 11, and 13, in accordance with the Examiner's indications.